

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
(973) 645-2580

CHAMBERS OF
PETER G. SHERIDAN
JUDGE

CLARKSON S. FISHER BUILDING
AND COURTHOUSE
402 EAST STATE STREET
TRENTON, NEW JERSEY 08608

To: Hon. Garrett E. Brown, Jr.
All Counsel of Record

From: Peter G. Sheridan, U.S.D.J.

PGS

Date: October 1, 2009

RE: *Heffernan v. City of Paterson*
Civil Action No. 06-cv-3882 (PGS)

After the trial in *Heffernan*, and with several post-trial motions pending, a conflict of interest issue arose regarding my previous involvement with the firm of Graham Curtin (formerly known as Graham, Curtin & Sheridan). The conflict arose from another civil rights law suit at the firm prior to my resignation, more than three years ago (Firm Matter).

This conflict was never raised prior to or during the *Heffernan* trial; but it looms over the integrity and fairness of the trial. Quite frankly, it never occurred to me that *Heffernan* and the Firm Matter were related. Despite the unfounded insinuation, I never received any pecuniary remuneration on the Firm Matter. However, Canon 2 of the Code of Conduct requires a Judge to avoid the appearance of impropriety; and having reviewed all the circumstances with counsel, it gives rise to such an appearance. The only recourse is to set aside the verdict, and permit a new trial before a different judge. I request that *Heffernan* be reassigned, and I have entered an Order granting a new trial.